IN THE HIGH COURT OF KERALA AT ERNAKULAM

PRESENT :

THE HONOURABLE MR. JUSTICE KURIAN JOSEPH

FRIDAY, THE 6TH JULY 2007 / 15TH ASHADHA 1929

WP(C).No. 29248 of 2004(F)

PETITIONER:

E.SAINUDDIN, LECTURER, SENIOR GRADE
ISLAMIC HISTORY DEPARTMENT,
MAHARAJAS COLLEGE, ERNAKULAM.
(RESIDING AT PUTHUR PUTHEN VEEDU, VENJARAMOODU
P.O., NEDUMANGADU, TRIVANDRUM.

BY ADV. SRI.K.M.MOHAMMED KUNHI,
SRI.V.P.MOHAMMED NIYAZ.

RESPONDENTS:

----

1. **STATE OF KERALA, REPRESENTED BY PRINCIPAL SECRETARY, DEPARTMENT OF HIGHER EDUCATION, SECRETARIAT, THIRUVANANTHAPURAM.**

2. **DIRECTOR OF COLLEGIATE EDUCATION, TRIVANDRUM.**

BY GOVT. PLEADER SRI. K.V. MANOJ.

THIS WRIT PETITION (CIVIL) HAVING BEEN FINALLY HEARD ON 06/07/2007, THE COURT ON THE SAME DAY DELIVERED THE FOLLOWING:

W.P.(C). NO.29248/2004:

APPENDIX

PETITIONER'S EXHIBITS:

EXT.P.1: COPY OF THE ORDER NO. 171/93/H. EDN. DTD. 27/01/1993 ISSUED BY THE R.1.

EXT.P.2: COPY OF THE MEMO OF CHARGES DTD. 17/03/1999 ISSUED BY THE R.2.

EXT.P.3: COPY OF THE REPLY SUBMITTED BY THE PETITIONER DTD. 18/06/1999 BEFORE THE R.2.

EXT.P.4: COPY OF THE ORDER NO. A.2/18239/92/COLL. EDN. DTD. 18/04/2002 PASSED BY THE R.2.

EXT.P.5: COPY OF THE ORDER NO. GO. (RT). 756/2004/H.E.D.T. DTD. 07/06/2004 PASSED BY THE R.1.

RESPONDENT'S EXHIBITS: **NIL.**

//TRUE COPY//

prv.

KURIAN JOSEPH J.

W.P.(C) No.29248 of 2004

Dated 6th July, 2007.

J U D G M E N T

Petitioner is aggrieved by the disciplinary proceedings initiated against him leading to Exts.P4 and P5. According to the petitioner, the orders are passed without permitting the petitioner to peruse even the report of enquiry. Since the petitioner has a right to know about the outcome of the enquiry, based on which the punishment is imposed, it is only appropriate that the petitioner is given such an opportunity. I quash Ext.P5 with a direction to the first respondent to consider the matter afresh after permitting the petitioner to peruse the records. Orders as above with notice to the petitioner shall be passed by the first respondent, within four months from the date of production of a copy of the judgment.

The writ petition is disposed of as above.

KURIAN JOSEPH, JUDGE.

tgs

KURIAN JOSEPH, J.

O.P. NO. OF 200

J U D G M E N T

Dated 6th July, 2007.